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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/816,540	03/26/2001	Yoshiyasu Nakashima	1466.1035	9495

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EXAMINER

KHAN, ASHFAQ M

ART UNIT PAPER NUMBER

2137

DATE MAILED: 04/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/816,540

Applicant(s)

NAKASHIMA ET AL.

Examiner

Ashfaq Khan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02/14/2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 03-26-2001.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**Remarks**

Claims 1-6 are pending.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Regarding claim 1, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention.

See MPEP § 2173.05(d).

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claim 1, 3, 5 are rejected under 35 U.S.C. 102(e) as being anticipated by Houvener et al (U.S. Patent # 6,397,194 B1). Please note that Houvener et al incorporated by reference (Col 4 line 55-60) Houvener (U.S. Patent # 5,657,389).

Regarding claim 1, Houvener teaches that a data accumulation system comprising:

a data output device for outputting data required by a user; (Fig 2- Item 4 and 6 jointly represent the output device).

a data storage device including a storing portion for storing a part of data imparted from the data output device ( Fig 3 – Item 58 data storage device).

a data checking terminal having a display for displaying data (Fig 2 Item 40, Col 8 line 30-36) imparted from the data output device to the data storage device so that a user can check whether or not the data are worth storing (Fig 2- Item 10 and 40 jointly represent the data checking terminal; Col 9 line 31-36; Col 11 line 31 –36).

Since the limitation of the data checking terminal is wireless and portable is exemplary, it does not limit the scope of the claim, such that Houvener does not apply.

Regarding claim 3, Houvener teaches the step of the data accumulation system according to claim 1, wherein the data checking terminal (Fig 2 - Item 10 and Item 40) processes the data to be stored out of the imparted data and transfers the processed data back to the data storage device (e.g. Encryption process - Item 32, encrypts data before transferring the data to the database Fig 1- Item 22; Compression /

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Decompression processor – Item 38 compress each transaction and data record before transferring to the database.) (Col 7 line 54 to Col 8 line 30).

Regarding claim 5, Houvener teaches that the data accumulation system according to claim 1, wherein the data output device is a POS terminal (Fig 2 – Item 4).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Houvener et al (U.S. Patent # 6,397,194) in view of Palme, Jacob, The future of electronic mail, [www.dsv.su.se/~jpalme/ietf/the-future-of-e-mail.pdf](http://www.dsv.su.se/~jpalme/ietf/the-future-of-e-mail.pdf), Jul 7<sup>th</sup> 1998, Page 1-25.

Regarding claim 2, the Houvener teaches the invention substantially as claimed. Please refer to the rejection of claim 1 above.

However the Houvener does not teach that the data checking terminal automatically performs filtering of the data to be stored.

According to Plame's presentation describes the automatic e-mail filtering from predetermined mailing list. This mailing list could be interpreted as precondition of the email filtering. Therefore, the data (e-mail) are being filtered and stored or even skipped totally (Page 15 line 4-6).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Palme's e-mail filtering concept with the Houvener's teaching, because this automated email filtering process while acknowledging the pre-condition will reduce the overall process execution time.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Houvener et al (U.S. Patent # 6,397,194) in view of Manuel Front Page 98, [www.netline.be/formations/cours/frontpage/009fp\\_17.htm](http://www.netline.be/formations/cours/frontpage/009fp_17.htm), 1998.

Regarding claim 4 Houvener teaches the implementation of data compression / decompression mechanism by the compression / decompression processor ( Fig 2 – Item 38, Col 8 line18-30).

However Houvener does not teach about the step of the data accumulation system according to claim 1, wherein the data imparted from the data output device to the data storage device is an image data and the data checking terminal generates a thumbnail image of the image data to display the thumbnail image on the display portion.

According to Manuel Front Page 98, Thumbnail Image is a small version of an image. Therefore, it takes less time to transmit over the network and as a result the complete page could be viewed in a shorter amount of time in a web browser (Creating Thumbnail Images – line 1-7). Therefore, thumbnail image is compressed image.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Creating Thumbnail image and it's advantage of "Manuel Front Page 98" with the Houvener's data compression teaching, because it will reduce the amount of information to download over the network and hence reduce the required amount of time to view the complete page in a web browser (Creating Thumbnail Images – line 1-7).

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Houvener et al (U.S. Patent # 6,397,194) in view of Answers.com, [www.answers.com/topic/automatic-teller-machine](http://www.answers.com/topic/automatic-teller-machine), Encyclopedia.

Regarding claim 6, Houvener teaches the use of POS terminal as data output device.

However Houvener does not teach ATM terminal as Data output device.

According to the Answer.com search result the Encyclopedia (Page 3, paragraph – "Encyclopedia") teaches us that the plastic card inserted to the ATM posses the users information. Identification code contained in the store is transmitted to the Bank's central computer before starting any transaction. The magnetic card reader is used to read the

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information from the card. The first ATM in US was installed in 1969 by Chemical Bank. Therefore, the ATM terminal performs a similar task of a data output device and sends the data to the Bank's central computer.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Encyclopedia's definition of Answers.com with the Houvener's teaching, because the easy accessibility of the ATM all around US. According to Encyclopedia By 1997 there were 160,000 ATMs across US (Page 3 – Encyclopedia).

### ***Conclusion***

A shortened statutory period for response to this action is set to expire **Three months** from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the application (see 35 U.S.C. 133, M.P.E.P. 710.02, 710.02(b)).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Ashfaq Khan* whose telephone number is (571) 272-7964. The examiner can normally be reached on M-F between 9:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571) 272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ashfaq Khan  
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Patent Examiner

A handwritten signature in black ink, reading "Andrew Caldwell". The signature is stylized with a large, looped "A" and a cursive "Caldwell".

ANDREW CALDWELL  
SUPERVISORY PATENT EXAMINER